

REMARKS

Claims 19, 21-29 and 42-44 are currently pending in the application. Claims 1-18, 20 and 30-41 relating to a non-elected invention are canceled. While not acquiescing to the rejections, in order to expedite prosecution of the application, claims 24 through 29 and 44 are cancelled herein.

Applicants thanks Examiner Wehbe for participating in a telephonic interview on January 24, 2006.

Rejection of claims 24-29 and 44 under 35 U.S.C. §102(b)

Claims 24-29 and 44 remain rejected under 35 U.S.C. §102(b) for alleged lack of novelty in view of WO 97/15310.

Applicants respectfully traverse the rejection.

Applicants respectfully disagree with the Examiner; however in the interest of expediting Prosecution, claims 24 through 29 and 44 have been cancelled thereby rendering the rejection moot.

Provisional Rejection of claims 24-28 under 35 U.S.C. §101

Claims 24-28 remain provisionally rejected under 35 U.S.C. §101 for allegedly claiming the same invention as that of claims 39 and 43 of copending Application No. 09/963,875.

Claims 24 through 29 and 44 have been cancelled thereby rendering the rejection moot.

Provisional Double Patenting Rejection of Claims 19, 21-23, 29 and 43-44

Claims 19, 21-23, 29 and 43-44 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 39-43 of copending Application No. 09/963,875.

Applicants are submitting herewith a terminal disclaimer to disclaim any portion of a patent issuing from the present application which would extend beyond the term of a patent issuing from the 09/963,875 application.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection.

Applicants submit that all claims are allowable as written. If the Examiner believes that a telephone conversation with Applicant's attorney/agent would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned attorney/agent of record.

Respectfully submitted,

Date:

March 1, 2006

Elizabeth M. S. Neely #45,123 for

Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 29933

Edwards Angell Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel. (617) 239-0100